

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC-SDNY
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DATE FILED: 12/4/19

PATRICIO NUNO CARRERA and
GERALDO MARQUEZ, *on behalf of
themselves, individually, and on behalf of all
similarly situated employees,*

Plaintiffs,

v.

DT HOSPITALITY GROUP INC. *doing
business as* CO BA RESTAURANT and
KIEN TRUONG,

Defendants.

No. 19-CV-4235 (RA)

ORDER

RONNIE ABRAMS, United States District Judge:

On August 6, 2019, the Court ordered Defendant Truong to inform the Court, by September 6, 2019, whether he had obtained separate counsel for Defendant DT Hospitality Group Inc. *See* Dkt. 16. Defendant Truong did not do so. On September 17, 2019, the Court again ordered Defendant Truong to inform the Court, by October 16, 2019, whether he had obtained separate counsel for Defendant DT Hospitality Group Inc. *See* Dkt. 17. As of today's date, Defendant Truong still has not done so. Defendant Truong is reminded that, although he may choose to proceed individually *pro se*, "a corporation may not appear in a lawsuit against it except through an attorney." *Grace v. Bank Leumi Trust Co. of N.Y.*, 443 F.3d 180, 192 (2d Cir. 2006); *see also SEC v. Pentagon Capital Mgmt. PLC*, No. 08 Civ. 3324(RWS), 2012 WL 3065981, at *4 (S.D.N.Y. July 25, 2012) ("It is well-established that a corporation cannot represent itself in a civil action.") (citing *Jones v. Niagara Frontier Transp. Auth.*, 722 F.2d 20, 22 (2d Cir. 1983)).

Accordingly, by December 23, 2019, Defendant Truong shall inform the Court whether he has obtained separate counsel for Defendant DT Hospitality Group Inc. If he fails to do so, Plaintiffs may move for default against DT Hospitality Group Inc.

Defendant Truong is also advised that information about a legal clinic which assists people who are parties in civil cases and do not have lawyers is attached to the end of this order. The Clinic is run by a private organization called the New York Legal Assistance Group; it is not part of, or run by, the Court (and, among other things, therefore cannot accept filings on behalf of the Court, which must still be made by any unrepresented party through the Pro Se Intake Unit). The Clinic is located in the Thurgood Marshall United States Courthouse, 40 Centre Street, New York, New York, in Room LL22, which is just inside the Pearl Street entrance to that Courthouse. The Clinic is open on weekdays from 10 a.m. to 4 p.m., except on days when the Court is closed. An unrepresented party can make an appointment in person or by calling 212-659-6190.

The Clerk of Court is respectfully directed to mail this Order to Defendants no later than December 6, 2019.

SO ORDERED.

Dated: December 4, 2019
New York, New York



Ronnie Abrams
United States District Judge



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To make an appointment for a consultation, call (212) 659-6190 or come by either clinic during office hours. Please note that a government-issued photo ID is required to enter either building.

The clinic offers in-person appointments only. The clinic does not offer assistance over the phone or by email.

Thurgood Marshall
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The Hon. Charles L. Brieant Jr.
Federal Building and Courthouse
300 Quarropas St
White Plains, NY 10601
(212) 659 6190

Open Wednesday
1 p.m. - 5 p.m.
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